

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
ROGER WAHL)	MB Docket No. 21-401
)	
WQZS(FM), Meyersdale, PA)	Facility ID No. 57424
)	

ORDER RESCHEDULING STATUS CONFERENCE

Issued: January 27, 2022

Released: January 27, 2022

1. On December 10, 2021, the *Initial Case Order* was released in the above-captioned proceeding. That order directed the parties to file a proposed hearing schedule and related information by January 11, 2022, and scheduled an initial status conference to be held on January 13, 2022.¹ On January 11, 2022, that conference was cancelled after Roger Wahl, licensee of WQZS(FM), for the first time indicated that he would not be able to participate on January 13 due to a medical procedure.² While the parties were relieved of the January 11 filing obligation, the Enforcement Bureau did make its submission on that date.³

2. The initial status conference in this matter will now take place on **March 8, 2022, at 10 AM** via an online platform accessible to all parties. Pursuant to the Hearing Designation Order that initiated this revocation proceeding, each party is to file a pre-conference submission that includes (a) an indication of whether discovery is expected in this case and, if so, a proposed discovery schedule; (b) any preliminary motions that it intends to file; and (c) a proposed case schedule. The parties are also to indicate whether they will request a protective order.⁴ As noted, the Enforcement Bureau submitted that information on January 11; any updates it chooses to propose may be introduced during the initial status conference without further written submission. Mr. Wahl is directed to make his required filing on or before **March 4, 2022**.

3. In this regard, because it appears that Mr. Wahl is not at this time represented by counsel, he is reminded of the rules and procedures for filing submissions in this proceeding. This hearing proceeding is “restricted” for purposes of the Commission’s *ex parte* rules.⁵ As a result, *ex parte* presentations are not permitted, such that any presentations made or pleadings submitted must be served

¹ *In the Matter of Roger Wahl*, Initial Case Order, MB Docket No. 21-401, FCC 21M-17 (ALJ Dec. 10, 2021) (*Initial Case Order*).

² *In the Matter of Roger Wahl*, Order, MB Docket No. 21-401, FCC 22M-01 (ALJ Jan. 11, 2022).

³ Enforcement Bureau’s Response to *Initial Case Order*, FCC 21M-17, MB Docket No. 21-401 (filed Jan. 11, 2022). The Enforcement Bureau proposed time intervals between filings rather than specific dates. Its proposal therefore remains valid despite the delay in holding the initial status conference.

⁴ *In the Matter of Roger Wahl*., Hearing Designation Order, Order to Show Cause, and Notice of Opportunity for Hearing, MB Docket No. 21-401, DA 21-1305 (rel. Oct. 19, 2021) at para. 13.

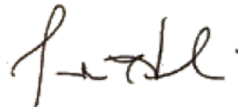
⁵ 47 CFR § 1.1208.

on all parties.⁶ Pleadings are to be filed using the Commission's Electronic Comment Filing System (ECFS)⁷ and at the same time are to be served on the opposing party via email, and courtesy copies are to be provided to the Presiding Judge and her Special Counsel via email.⁸ Submissions that are not properly served are in peril of being disregarded by the Presiding Judge.⁹ Further, as previously ordered, this proceeding will be conducted pursuant to the written hearing procedures codified at sections 1.370 through 1.377 of the Commission's rules, 47 CFR §§ 1.370 – 1.377, and all parties are expected to be fully cognizant of Part 1 of the Commission's rules concerning Practice and Procedure, 47 CFR Part 1, Subparts A and B.¹⁰

4. Accordingly, **IT IS ORDERED** that the initial prehearing conference in this matter will be held on **March 8, 2022, commencing at 10:00 a.m.**, at which a hearing schedule shall be set.

5. **IT IS FURTHER ORDERED** that Roger Wahl, licensee of Station WQZS(FM), **SHALL FILE** the information required above on or before **March 4, 2022**.

FEDERAL COMMUNICATIONS COMMISSION



Jane Hinckley Halprin
Administrative Law Judge

⁶ *Id.*; see also 47 CFR §§ 1.211, 1.371(k).

⁷ 47 CFR § 1.51(a).

⁸ *Initial Case Order* at paras. 5-6 & n.5. The email addresses for the Presiding Judge and her Special Counsel are Jane.Halprin@fcc.gov and JohnB.Adams@fcc.gov.

⁹ See 47 CFR § 1.371(n).

¹⁰ *Initial Case Order* at paras. 3 and 7.